

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	09/902,928	GULER ET AL.	
	Examiner	Art Unit	
	OJO O. OYEBISI	3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 10/25/07.
2.  The allowed claim(s) is/are 2-8, 10-16 and 18-27.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

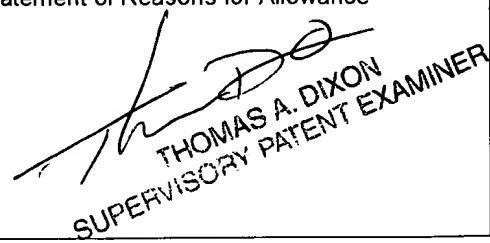
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_

  
 THOMAS A. DIXON  
 SUPERVISORY PATENT EXAMINER

## **DETAILED ACTION**

In view of the Appeal Brief filed on 10/25/07, PROSECUTION IS HEREBY REOPENED.

### ***Allowable Subject Matter***

Claims 2-8, 10-16 and 18-27 are allowed.

### ***Examiner's Statement of Reason for Allowance***

The following is an examiner's statement of reasons for allowance for all claims:

**Re claims 6, 14 and 22.** The prior art fails to disclose a method for determining a reserve price for a market, said method comprising: estimating a structure of said market, said estimating comprises expressing unobservable variables in terms of observable bids, wherein said unobservable variables are expressed in terms of observable bids by inverting said bid model. The closest prior art is also the best U.S art: Seymour et al (US PAT: 6,871,190). Seymour et al disclose a method for conducting an auction over an open communications means comprising a plurality of remote interconnected sites characterized by the steps of: creating at a remote seller site, seller agent means arranged to implement a predetermined selling strategy in relation to merchandise to be auctioned at that seller site; creating at one or more bidder sites, bidder agent means arranged to implement a predetermined bidding strategy at a remote seller site; transmitting the bidder agent means over the network to a remote seller site; and conducting an auction at the remote seller site by implementing the selling strategy of the seller agent means and the bidding strategies of the one or

more bidder agent means. Although, Seymour mentions calculating optimum reserve bid price in an auction market (see col.6 lines 60-67 of Seymour), but fails to teach "estimating a structure of said market, said estimating comprises expressing unobservable variables in terms of observable bids, wherein said unobservable variables are expressed in terms of observable bids by inverting said bid model." Said another way, Seymour fails to disclose inverting a bid model as claimed. Thus the disclosure of Seymour taken alone or in combination with the pertinent prior art i.e., Rackson et al (US PAT: 6,415,270), fails to disclose inverting the bid model as claimed, nor is there any reference to estimating a structure of said market, said estimating comprises expressing unobservable variables in terms of observable bids.

Furthermore, Bulow et al (The Journal of political economy, Vol.97, No.5. (Oct., 1989), pp. 1060-1090), cited prior art, discloses the simple economics of optimal auctions. Bulow teachings are directed to optimal auction problem, but not to estimating a structure of the market, said estimating comprises expressing unobservable variables in terms of observable bids.

Lastly, Preist et al (EP 1 085 445 A1), cited prior art, discloses auction method and apparatus for electronic commerce. Although, Preist et al mention bid calculation and offer calculation algorithms operate to optimally place bids at a lowest overall cost, but silent on "inverting the bid model and estimating a structure of the market, said estimating comprises expressing unobservable variables in terms of observable bids."

Updated searches revealed no references that disclosed the claimed inventions nor

were any secondary references identified which could be reasonably combined with Seymour.

The drawings submitted on 07/10/01 are acceptable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

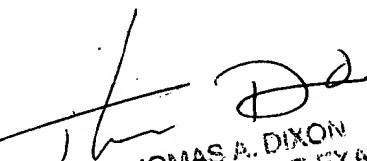
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OJO O. OYEBISI whose telephone number is (571)272-8298. The examiner can normally be reached on 8:30A.M-5:30P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Dixon can be reached on (571)272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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